

MESSAGE NO: 2075301 MESSAGE DATE: 03/15/2012

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: PARRES-Partial Rescission

FR CITE: 76 FR 65172 FR CITE DATE: 10/20/2011

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-831

EFFECTIVE DATE: 10/20/2011 COURT CASE #:

PERIOD OF REVIEW: 11/01/2009 TO 10/31/2010

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Rescission of administrative review in part of antidumping duty order on fresh garlic from the People's Republic of China (A-570-831)

1. COMMERCE HAS RESCINDED THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON FRESH GARLIC FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-831) COVERING THE PERIOD 11/01/2009 THROUGH 10/31/2010 IN PART WITH RESPECT TO THE FIRMS LISTED BELOW. YOU ARE TO ASSESS ANTIDUMPING DUTIES ON THIS MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 11/01/2009 THROUGH 10/31/2010 AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY.

LIQUIDATE ALL ENTRIES FOR THE FOLLOWING FIRMS:

JINAN YIPIN CORPORATION LTD.

CASE NUMBER: A-570-831-003

HEZE EVER-BEST INTERNATIONAL TRADE CO., LTD. (F/K/A SHANDONG HEZE INTERNATIONAL TRADE AND DEVELOPING COMPANY)

CASE NUMBER: A-570-831-004

TAIAN FOOK HUAT TONG KEE PTE. LTD. (A.K.A. TAIAN FOOK HUAT TONG KEE FOODSTUFFS CO., LTD.)

CASE NUMBER: A-570-831-005

ZHENGZHOU HARMONI SPICE CO., LTD.

CASE NUMBER: A-570-831-006

JINING TRANS-HIGH TRADING CO., LTD.

CASE NUMBER: A-570-831-008

SHANGHAI EVER RICH TRADE COMPANY

CASE NUMBER: A-570-831-012

TAIYAN ZIYANG FOOD CO., LTD. (A.K.A. TAIAN ZIYANG FOOD COMPANY, LTD.)

CASE NUMBER: A-570-831-018

JINXIANG SHANYANG FREEZING STORAGE CO., LTD.

CASE NUMBER: A-570-831-019

SHANDONG CHENGSHUN FARM PRODUCE TRADING CO., LTD.

CASE NUMBER: A-570-831-024

SHENZHEN FANHUI IMPORT & EXPORT CO., LTD.

CASE NUMBER: A-570-831-025

QUFU DONGBAO IMPORT & EXPORT TRADE CO., LTD.

CASE NUMBER: A-570-831-026

ANQIU FRIEND FOOD CO., LTD.

CASE NUMBER: A-570-831-027

WEIFANG SHENNONG FOODSTUFF CO., LTD.

CASE NUMBER: A-570-831-028

QINGDAO SATURN INTERNATIONAL TRADE CO., LTD.

CASE NUMBER: A-570-831-031

JINXIANG TIANMA FREEZING STORAGE CO., LTD.

CASE NUMBER: A-570-831-037

NO CASE NUMBERS WERE IN PLACE FOR FOLLOWING COMPANIES DURING THE PERIOD OF REVIEW:

AMERICAN PIONEER SHIPPING

ANHUI DONGQIAN FOODS LTD

ANQIU HAOSHUN TRADE CO., LTD.

APM GLOBAL LOGISTICS (SHANGHAI) CO., LTD.

APS QINGDAO

CHIPING SHENGKANG FOODSTUFF CO., LTD.

CMEC ENGINEERING MACHINERY IMPORT & EXPORT CO., LTD.

DONGYING SHUNYIFA CHEMICAL CO., LTD.

DYNALINK SYSTEMS LOGISTICS (QINGDAO) INC.
FEICHENG ACID CHEMICALS CO., LTD.
FROG WORLD CO., LTD.
GOLDEN BRIDGE INTERNATIONAL, INC.
HANGZHOU GUANYU FOODS CO., LTD.
HONGQIAO INTERNATIONAL LOGISTICS CO.
INTECS LOGISTICS SERVICE CO., LTD.
IT LOGISTICS QINGDAO BRANCH
JINAN SOLAR SUMMIT INTERNATIONAL CO., LTD.
JINING HIGHTON TRADING CO., LTD.
JINING JIULONG INTERNATIONAL TRADING CO., LTD.
JINING TIANKUANG TRADE CO., LTD.
JINXIANG COUNTY HUAGUANG FOOD IMPORT & EXPORT CO., LTD.
JINXIANG DACHENG FOOD CO., LTD.
JINXIANG DONGYUN FREEZING STORAGE CO., LTD. (A/K/A JINXIANG EASTWARD
SHIPPING IMPORT AND EXPORT LIMITED COMPANY)
JINXIANG FENGSHENG IMPORT & EXPORT CO., LTD.
JINXIANG JINMA FRUITS VEGETABLES PRODUCTS CO., LTD.
JINXIANG MEIHUA GARLIC PRODUCE CO., LTD.
JINXIANG TIANHENG TRADE CO., LTD.
JUYE HOMESTEAD FRUITS AND VEGETABLES CO., LTD.
KINGWIN INDUSTRIAL CO., LTD.
LAIWU FUKAI FOODSTUFF CO., LTD.
LAIZHOU XUBIN FRUITS AND VEGETABLES
LINYI CITY HEDONG DISTRICT JIULI FOODSTUFF CO.
LINYI TIANQIN FOODSTUFF CO., LTD.
NINGJIN RUIFENG FOODSTUFF CO., LTD.
QINGDAO APEX SHIPPING CO., LTD.
QINGDAO BNP CO., LTD.
QINGDAO CHERRY LEATHER GARMENT CO., LTD.
QINGDAO CHONGZHI INTERNATIONAL TRANSPORTATION CO., LTD.
QINGDAO LIANGHE INTERNATIONAL TRADE CO., LTD.
QINGDAO SINO-WORLD INTERNATIONAL TRADING CO., LTD.
QINGDAO WINNER FOODS CO., LTD.
QINGDAO YUANKANG INTERNATIONAL
RIZHAO HUASAI FOODSTUFF CO., LTD.
SAMYOUNG AMERICA (SHANGHAI) INC.
SHANDONG CHINA BRIDGE IMPORTS

SHANDONG DONGSHENG EASTSUN FOODS CO., LTD.
SHANDONG GARLIC COMPANY
SHANDONG JINXIANG ZHENGYANG IMPORT & EXPORT CO., LTD.
SHANDONG SANXING FOOD CO., LTD.
SHANDONG XINGDA FOODSTUFFS GROUP CO., LTD.
SHANDONG YIPIN AGRO (GROUP) CO., LTD.
SHANGHAI GOLDENBRIDGE INTERNATIONAL CO., LTD.
SHANGHAI GREAT HARVEST INTERNATIONAL CO., LTD.
SHANGHAI YIJIA INTERNATIONAL TRANSPORTATION CO., LTD.
T&S INTERNATIONAL, LLC.
TAIAN EASTSUN FOODS CO., LTD.
TAIAN SOLAR SUMMIT FOOD CO., LTD.
TIANJIN SICESHI CO., LTD.
U.S. UNITED LOGISTICS (NINGBO) INV.
V.T. IMPEX (SHANDONG) LIMITED
WEIFANG JINBAO AGRICULTURAL EQUIPMENT CO., LTD.
WEIFANG NAIKE FOODSTUFFS CO., LTD.
WEIHAI TEXTILE GROUP IMPORT & EXPORT CO., LTD.
WSSF CORPORATION (WEIFANG)
XIAMEN HUAMIN IMPORT EXPORT COMPANY
XIAMEN KEEP TOP IMP. AND EXP. CO., LTD.
XINJIANG TOP AGRICULTURAL PRODUCTS CO., LTD.
YOU SHI LI INTERNATIONAL TRADING CO., LTD.
ZHANGZHOU XIANGCHENG RAINBOW GREENLAND FOOD CO., LTD.

FOR THE COMPANIES LISTED ABOVE WITHOUT LISTED CASE NUMBERS, ENTRIES MAY HAVE BEEN MADE UNDER A-570-831-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS.

2. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE COVERED BY PARAGRAPH 1 OCCURRED WITH THE PUBLICATION OF THE NOTICE OF RESCISSION IN PART OF ADMINISTRATIVE REVIEW (76 FR 65172, 10/20/2011). UNLESS INSTRUCTED OTHERWISE, FOR ALL OTHER SHIPMENTS OF FRESH GARLIC FROM THE PEOPLE'S REPUBLIC OF CHINA YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

3. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS

INSTRUCTION.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930, AS AMENDED. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES ARE REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHALL REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT, AS DESCRIBED IN SECTION 351.402(F)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHALL DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, REIMBURSEMENT SHALL BE PRESUMED AND CBP SHALL DOUBLE THE ANTIDUMPING DUTIES DUE. IF AN IMPORTER TIMELY FILES A PROTEST CHALLENGING THE PRESUMPTION OF REIMBURSEMENT AND DOUBLING OF DUTIES, CONSISTENT WITH CBP'S PROTEST PROCESS, CBP MAY ACCEPT THE REIMBURSEMENT STATEMENT FILED WITH THE PROTEST TO REBUT THE PRESUMPTION OF REIMBURSEMENT.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O6: LW).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

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Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party